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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

STUART REICHMAN, KAREN BETH
SMERLING, and LISA ESTHER
LEBOVIC

Civil Action No.:

Plaintiffs,

v.

WILLIAM PENN LIFE INSURANCE
COMPANY OF NEW YORK,

Defendant.

CIVIL ACTION – NOTICE OF REMOVAL

PLEASE TAKE NOTICE that the undersigned attorneys for defendant, William Penn Life Insurance Company of New York (“William Penn”), petition this Honorable Court for an Order pursuant to 28 U.S.C. §1441, et. seq., removing to the United States District Court, District of New Jersey, Newark Vicinage, a matter instituted in the Superior Court of New Jersey, Law Division, Bergen County, bearing Docket No. BER-L-1255-15 (“State Court Action”).

PLEASE TAKE FURTHER NOTICE that a copy of this Removal Petition has been filed with the Superior Court of New Jersey, Law Division, Bergen County, thereby effecting

removal pursuant to 28 U.S.C. §1446(b).

PLEASE TAKE FURTHER NOTICE that, by effecting removal of this civil action, William Penn reserves all rights to raise any and all defenses available under the Federal Rules of Civil Procedure including, but not limited to, Fed. R. Civ. P. 12.

PLEASE TAKE FURTHER NOTICE that, in support of this notice of removal, William Penn relies upon the following:

1. On or about February 4, 2015, counsel for plaintiffs, Stuart Reichman, Karen Beth Shmerling, and Lisa Esther Lebovic (“Plaintiffs”), filed a Complaint in the Superior Court of New Jersey, Law Division, Bergen County, bearing Docket No. BER-L-1255-15. Annexed hereto as Exhibit “A” are true and complete copies of the Complaint, Track Assignment Notice, and Civil Case Information Statement, which constitutes all process, pleadings, and/or orders first received by William Penn to date within the meaning and intent of 28 U.S.C. §1446.

2. William Penn was served with the Complaint, Track Assignment Notice, and Civil Case Information Statement on February 23, 2015. William Penn first had knowledge of the institution of suit and the basis for the removal of this civil action when it first received the documents annexed hereto as Exhibit “A” on February 23, 2015. Removal is, therefore, timely under 28 U.S.C. §1446(b) in that the filing of the within Petition occurred within thirty (30) days of the service of a Summons and the Complaint.

3. At the time of the filing of the Complaint and this Removal Petition, plaintiff Stuart Reichman was and is a resident of the State of New Jersey and, therefore, a citizen of the State of New Jersey within the meaning and intent of 28 U.S.C. §1332.

4. At the time of the filing of the Complaint and this Removal Petition, plaintiff Karen Beth Shmerling was and is a resident of Mizrach Binyamin, Israel and, therefore, a citizen of the Israel within the meaning and intent of 28 U.S.C. §1332.

5. At the time of the filing of the Complaint and this Removal Petition, plaintiff Lisa Esther Lebovic was and is a resident of Betar Illit, Israel and, therefore, a citizen of the Israel within the meaning and intent of 28 U.S.C. §1332.

6. At the time of the filing of the Complaint and this Removal Petition, William Penn was and is an insurance company organized and existing under the laws of the State of New York where it maintains its principal place of business located at 100 Quentin Roosevelt Boulevard, Garden City, NY. William Penn is a citizen of the State of New York within the meaning and intent of 28 U.S.C. §1332.

7. At the time of the filing of the Complaint and this Removal Petition, there exists complete diversity of citizenship between the plaintiffs and defendant.

8. The court's review of the complaint will reveal that the basis of the claims of the plaintiffs involve a claim for \$100,000 in life insurance benefits under a policy of life insurance issued by William Penn bearing policy number 0700012524, insuring the life of Avrom Reichman. Plaintiffs claim they are the sole beneficiaries under the policy and that William Penn has wrongfully withheld the death benefit.

9. The amount in controversy between the parties, exclusive of interest and costs of suit, exceeds \$75,000.00 within the meaning of 28 U.S.C. §1332.

10. This Court maintains diversity jurisdiction pursuant to 28 U.S.C. §1332 and removal is, therefore, appropriate pursuant to 28 U.S.C. §1441(a) and (b).

11. Venue is proper in this Court under 28 U.S.C. §1446(a) because the U.S. District Court for the District of New Jersey includes Bergen County where the State Action is pending.

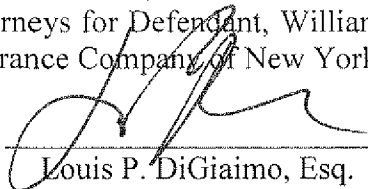
12. Pursuant to 28 U.S.C. §1446(d), William Penn is providing written notice of the removal of this action to Plaintiff and is filing Notice of the filing of this Notice of Removal with the Court in the State Action.

WHEREFORE, pursuant to 28 U.S.C. §1332 and 28 U.S.C. §1446, William Penn hereby removes this action to this Court.

**McELROY, DEUTSCH, MULVANEY &
CARPENTER, LLP**

Attorneys for Defendant, William Penn Life
Insurance Company of New York

By:



Louis P. DiGiaino, Esq.

Dated: March 4, 2015